IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 8487 of 2005

Between:

G.Nagesh, S/o. G.Kanakaiah,
12-11-748, Near Gangaputra Sangam, Varasiguda,

Secunderabad.

..... PETITIONER

AND

1 The Govt. of A.P., rep. by its Transport Commissioner,
at Hyderabad.
2 The Additional Registering Authority, under Motor Vehicle Act,

Hyderabad East Zone, at Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ order or direction, or issue an appropriate writ, more particularly one in the nature of writ of mandamus:- i) Directing the respondents herein to receive the Motor Vehicle Life Tax of the petitioner vehicle bearing registration No.A.P.11 J 8925 on instalment basis instead of collecting at once and permit the petitioner to ply the petitioner vehicle on road; ii) Declare the action of respondents in not considering his representation for payment of life tax of above said vehicle on instalment basis is illegal, arbitrary, and violative of Articles 14 and 21 of the Constitution of India, and to pass such other order or orders.

Counsel for the Petitioner: Mr.S.Chandrasekhar.
For the Respondents: GP for Transport.

The Court at the admission stage made the following:

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ORDER: (per Sri B. Sudershan Reddy, J)

The writ petition is totally misconceived. Admittedly, there is no provision under the Andhra Pradesh Motor Vehicle Taxation Act, 1962 to receive and collect life tax in any instalments as such. This Court in exercise of its jurisdiction under Article 226 of the Constitution of India cannot itself fix the instalments and compel the respondents to accept the payment of life tax in such instalments. Such a course is impermissible in law.

The Writ Petition fails and shall accordingly stand dismissed.

(B. Sudershan Reddy, J)

28-04-2005

(C.V. Ramulu, J)

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To

1 The Transport Commissioner, the Govt. of A.P.,
at Hyderabad.
2 The Additional Registering Authority, under Motor Vehicle Act,

Hyderabad East Zone, at Hyderabad.

3. Two CCs to the Government Pleader for Transport, High Court of Andhra Pradesh, Hyderabad (OUT).

4. 1 CC to MR.CHANDRASEKHAR

5. Two CD copies.